

# EXHIBIT 17

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

IN RE GRAND JURY SUBPOENA  
GJ 42-17 and GJ 42-69

Case No. 23-gj-10 (BAH)

Chief Judge Beryl A. Howell

**UNDER SEAL**

**ORDER**

Per. 18 and (the “Witnesses”), attorneys who have represented former President Donald J. Trump, received grand jury subpoenas for documents and testimony and declined to comply in full because of the former president’s invocation of attorney-client privilege and the work-product doctrine, as well as, in Per. 18’s case, the attorney’s own independent claim to the protection of his opinion work product. The government filed the instant Motion to Compel, ECF No. 1, together with an *ex parte* supplement in support of the Motion, ECF No. 2, seeking an order to compel the Witnesses to give testimony and produce documents previously objected to by Per. 18 and the former president.

Upon consideration of the government’s Motion and its *ex parte* supplement and the exhibits thereto; the oppositions submitted by the former president and Per. 18 the government’s reply brief; the extensive supplemental briefing filed at the Court’s direction by the former president, Per. 18 and the government; the March 9, 2023 hearing involving arguments from counsel for the former president, Per. 18 and the government; Per. 18’s *in camera, ex parte* submission of the documents he withheld from the government; and the entire record herein, the Court finds that (1) the government has made a *prima facie* showing that the former president committed criminal violations; (2) the crime-fraud exception applies to pierce any attorney-client privilege and fact work-product doctrine protection that would otherwise

protect (a) all six topics, as enumerated below, upon which the government seeks testimony from the Witnesses, with the exception, for [REDACTED] of the final topic, (b) documents withheld by **Per. 18** reflecting his efforts to comply with the grand jury subpoena issued to the Office of Donald J. Trump on May 11, 2022, and (c) documents withheld by **Per. 18** that may have informed his knowledge of the June 24, 2022 grand jury subpoena issued to the Trump Organization in advance of his conversation with the former president in the afternoon of June 24, 2022; and (3) **Per. 18** may withhold certain responsive documents in their entirety and others in part from the government on the basis of his independent claim to opinion work product protection, which the government does not presently argue is vitiated by the crime-fraud exception, as set forth in the attached Appendices. Accordingly, it is hereby—

**ORDERED** that the government's Sealed Motion to Compel Testimony, ECF No. 1, is **GRANTED IN PART** and **DENIED IN PART**; it is further

**ORDERED** that **Per. 18** is to appear before the Grand Jury of the U.S. District Court for the District of Columbia and give testimony, which has previously been the subject of an assertion by the former president of the attorney-client privilege and work-product doctrine protection, as well as an assertion by **Per. 18** of opinion work product protection as to his own testimony, relating, but not limited to, any communications and meetings regarding the following six topics, and any similar such communications or meetings:

(1) [REDACTED]

[REDACTED]

(2) [REDACTED]

[REDACTED];

(3) The identities of individuals involved in selecting **Per. 12** **[REDACTED]** **[REDACTED]**, the reasons for **Per. 12**'s selection, and communications (with **Per. 12** and others) related to **Per. 12** selection;

(4) **[REDACTED]**  
**[REDACTED]**

(5) **[REDACTED]**  
**[REDACTED]**  
**[REDACTED]**; and

(6) What **Per. 18** discussed with former President Donald J. Trump in a phone call on June 24, 2022; and it is further

**ORDERED** that **[REDACTED]** is to appear before the Grand Jury of the U.S. District Court for the District of Columbia and give testimony, which has previously been the subject of an assertion by the former president of the attorney-client privilege and work-product doctrine protection, relating, but not limited to, the first five of the above-enumerated topics; and it is further

**ORDERED** that, by noon on March 20, 2023, **Per. 18** shall produce to the government: (1) the documents listed in Appendix A, (2) the documents listed in Appendix B-1 with **Per. 18**'s proposed redactions executed, and (3) the documents listed in Appendix B-2 as redacted by the Court, which are appended as Attachments 1 and 2 to a separate Order filed *ex parte* with disclosure only to **Per. 18** and the government; and it is further

**ORDERED** that the government's motion is DENIED as to the single withheld document by **[REDACTED]** unless such document is a duplicate of any documents withheld by **Per. 18** upon which this Court has ruled and ordered production, in part or in full; and it is further



**ORDERED** that, by 10 a.m. on March 20, 2023, the government shall redact the accompanying Memorandum Opinion as necessary to protect matters occurring before the grand jury and the ongoing investigation, and disclose the resulting redacted Opinion, through counsel, to the Witnesses and former president, and file the redacted Opinion on the docket by the same time.

**SO ORDERED.**

Date: March 17, 2023



A handwritten signature in cursive script that reads "Beryl A. Howell".

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BERYL A. HOWELL  
Chief Judge

**APPENDIX A:  
NON-PRIVILEGED DOCUMENTS  
THAT MUST BE PRODUCED**

<b>1</b>	<b>P. 18</b>	PRIV-002
<b>2</b>		PRIV-003
<b>3</b>		PRIV-004
<b>4</b>		PRIV-005
<b>5</b>		PRIV-006
<b>6</b>		PRIV-007
<b>7</b>		PRIV-009
<b>8</b>		PRIV-010
<b>9</b>		PRIV-011
<b>10</b>		PRIV-012
<b>11</b>		PRIV-013
<b>12</b>		PRIV-014
<b>13</b>		PRIV-015
<b>14</b>		PRIV-016
<b>15</b>		PRIV-017
<b>16</b>		PRIV-021
<b>17</b>		PRIV-022
<b>18</b>		PRIV-023
<b>19</b>		PRIV-024
<b>20</b>		PRIV-025
<b>21</b>		PRIV-026
<b>22</b>		PRIV-028
<b>23</b>		PRIV-029
<b>24</b>		PRIV-030
<b>25</b>		PRIV-037
<b>26</b>		PRIV-038
<b>27</b>		PRIV-041
<b>28</b>		PRIV-042
<b>29</b>		PRIV-043
<b>30</b>		PRIV-044
<b>31</b>		PRIV-047
<b>32</b>		PRIV-050
<b>33</b>		PRIV-053
<b>34</b>		PRIV-055
<b>35</b>		PRIV-057
<b>36</b>		PRIV-058
<b>37</b>		PRIV-059
<b>38</b>		PRIV-060

<b>39</b>	<b>P. 18</b>	PRIV-064
<b>40</b>		PRIV-067
<b>41</b>		PRIV-068
<b>42</b>		PRIV-069
<b>43</b>		PRIV-070
<b>44</b>		PRIV-081
<b>45</b>		PRIV-084
<b>46</b>		PRIV-085
<b>47</b>		PRIV-086
<b>48</b>		PRIV-087
<b>49</b>		PRIV-088
<b>50</b>		PRIV-089
<b>51</b>		PRIV-091
<b>52</b>		PRIV-092
<b>53</b>		PRIV-093
<b>54</b>		PRIV-094
<b>55</b>		PRIV-099
<b>56</b>		PRIV-102
<b>57</b>		PRIV-103
<b>58</b>		PRIV-104

**APPENDIX B-1:  
DOCUMENTS THAT MUST BE PRODUCED  
WITH OPINION WORK PRODUCT REDACTIONS  
AS PROPOSED BY Per. 18**

The following documents must be produced with the redactions proposed by Per. 18

1		P. 18	-PRIV-027
2			-PRIV-031
3			-PRIV-036
4			-PRIV-039
5			-PRIV-063
6			-PRIV-095
7			-PRIV-096
8			-PRIV-097
9			-PRIV-098
10			-PRIV-101

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**APPENDIX B-2:  
DOCUMENTS THAT MUST BE PRODUCED  
WITH OPINION WORK PRODUCT REDACTIONS  
AS MADE BY THE COURT**

The following documents must be produced as redacted by the Court in the versions attached to the separate *ex parte* Order.

1		P. 18	-PRIV-082
2			-PRIV-083

**APPENDIX C:  
DOCUMENTS THAT MAY BE  
ENTIRELY WITHHELD**

	Per. 18	
1		PRIV-001
2		PRIV-008
3		PRIV-018
4		PRIV-019
5		PRIV-020
6		PRIV-032
7		PRIV-033
8		PRIV-034
9		PRIV-035
10		PRIV-040
11		PRIV-045
12		PRIV-046
13		PRIV-048
14		PRIV-049
15		PRIV-051
16		PRIV-052
17		PRIV-054
18		PRIV-056
19		PRIV-061
20		PRIV-062
21		PRIV-065
22		PRIV-066
23		PRIV-071
24		PRIV-072
25		PRIV-073
26		PRIV-074
27		PRIV-075
28		PRIV-076
29		PRIV-077
30		PRIV-078
31		PRIV-079
32		PRIV-080
33		PRIV-090
34		PRIV-100